REMARKS/ARGUMENTS

1.)   Claim Amendments

The Applicant has amended claims 11, 12, 18, 19, and 22-30. Accordingly, claims 1-30 remain pending in the application. Favorable reconsideration of the application is respectfully requested in view of the foregoing amendments and the following remarks.

2.)   Examiner Objections - Claims

Claims 11 and 18 were objected to because of informalities. Again, the Applicant appreciates the Examiner's thorough review of the claims. The Applicant has amended the claims as suggested by the Examiner in order to correct the informalities. The Examiner's consideration of the amended claims is respectfully requested.

3.)   Claim Rejections – 35 U.S.C. § 101

The Examiner rejected claims 28-30 under 35 U.S.C. § 101 as being directed to "A computer program loadable into the processing unit". The Applicant has amended independent claims 28-30 to address the rejection.

Claims 12, 19, 22 and 28 - 30 are rejected under 35 U.S.C. 101 as being adapted to perform a certain function. The applicant has provided amendments to address this rejection.

In view of the amendments, withdrawal of the rejection is respectfully requested.

4.)   Claim Rejections – 35 U.S.C. § 103 (a)

Claims 1 - 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kutaragi et al. (U.S. Patent 2002/0049580), in view of Epstein (U.S. Patent 6,023,510).

Kutaragi discloses a high-security content providing system is disclosed. The content providing system includes a content provider connected to a large number of user terminals via a network. A content including user information specific to a particular user and an electronic watermark embedded therein is transmitted from the content provider to a user terminal. When the content is executed on the user terminal, the user

information and the electronic watermark are checked by the user terminal or by the content provider. The content is allowed to be executed only when the checking indicates that the content is an authorized content. (Kutaragi, Abstract)

Epstein discloses a method for secure anonymous querying by a user of an information provider by electronic mail and for obtaining a reply uses a public key of the provider to form an electronic encrypted query package containing information including a query, a generated random number sequence, a hash of the query, a generated public key of the user, and an identification of a public bulletin board. The query package is preferably sent to the provider via a network from a public terminal. At the information provider the query package is received and decrypted. If the result of hashing the decrypted query is equal to the decrypted hash, a response R is formulated. A response package is formed therefrom by using a generated symmetric key of the information provider and the public key of the user. The response package is posted to the public bulletin board along with the random number sequence.; The public bulletin board is accessed by the user in an anonymous manner and the response package, which is identified by the random number sequence, is downloaded and decrypted to obtain response R. (Epstein, Abstract)

The Examiner's attention is directed to the fact that the combination of Kutaragi and Epstein fails to teach, disclose, or suggest "encrypting the access granting ticket with an encryption key of the data providing entity", as recited by Applicant's claims. The Examiner concedes that Kutaragi does not teach this limitation. In order to cure the Examiner's perceived deficiency of Kutaragi, Epstein is cited. Epstein discloses a method for secure querying by a user of an information provider to obtain health information. (See Epstein; col. 1, line 63 – col. 2, line 8) It appears that the Examiner is reading Epstein too broadly in order to reach the conclusion that Epstein teaches "encrypting the access granting ticket with an encryption key of the data providing entity". Epstein actually teaches away from this limitation, or at least teaches away from a combination with Kutaragi, since Epstein teaches that its "query package" is sent to the provider via a network in such a manner that the user is not identifiable to the provider. (See Epstein; col. 2, lines 25-26) As such, the combination of Epstein with

Kutaragi would be improper since the Examiner argues that Kutaragi teaches an access granting ticket that includes a principal identifier and Epstein teaches that its user is not identifiable to the provider. Thus, one having ordinary skill in the art would not look to the combination of Kutaragi and Epstein in order to arrive at what is recited by Applicant's claims.

In view of the above arguments, Applicant respectfully asserts that independent claims 1, 12, 19, 22, and 28-30 are patentable over the combination of Kutaragi and Epstein. Claims 2-11, 13-18, 20, 21, and 23-27 are patentable at least by virtue of depending from their respective base claim.

CONCLUSION

In view of the foregoing remarks, the Applicant believes all of the claims currently pending in the Application to be in a condition for allowance. The Applicant, therefore, respectfully requests that the Examiner withdraw all rejections and issue a Notice of Allowance for all pending claims.

The Applicant requests a telephonic interview if the Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,

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